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8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE EASTERN DISTRICT OF CALIFORNIA  
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11 CHRISTOPHER HENRY DERAGON, No. 2:02-cv-0526-MCE-JFM-P

12 Petitioner,

13 v. ORDER

14 EDWARD S. ALAMEIDA, JR., et al.,

15 Respondents.  
16 \_\_\_\_\_/

17 Petitioner is a state prisoner proceeding pro se with this  
18 Application for a Writ of Habeas Corpus pursuant to 28 U.S.C. §  
19 2254. Judgment was entered in this case on April 24, 2006, and  
20 this matter is currently on appeal to the United States Court of  
21 Appeals for the Ninth Circuit. On May 31, 2006, Petitioner filed  
22 a Request to Proceed in Forma Pauperis on appeal. The Court file  
23 reflects that Petitioner paid the filing fee for this action.

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1 Rule 24(a) of the Federal Rules of Appellate Procedure  
2 provides that a party to a district court action who desires to  
3 appeal in forma pauperis on appeal must file a motion in the  
4 district court which:

5 (A) shows in the detail prescribed by Form 4  
6 of the Appendix of Forms the party's  
7 inability to pay or to give security for  
8 fees and costs;

9 (B) claims an entitlement to redress; and

10 (C) states the issues that the party intends  
11 to present on appeal.

12 Fed. R. App. P. 24(a)(2). Petitioner has attached the  
13 appropriate affidavit which demonstrates his inability to pay or  
14 to give security for fees and costs. In his May 17, 2006,  
15 Request for a Certificate of Appealability, Petitioner claimed  
16 entitlement to redress and described the issues he intended to  
17 present on appeal. Petitioner has complied with the requirements  
18 of Fed. R. App. P. 24(a). Accordingly, his request to proceed in  
19 forma pauperis on appeal will be granted.

20 Good cause appearing, IT IS HEREBY ORDERED that Petitioner's  
21 May 31, 2006, Request to Proceed in Forma Pauperis on appeal is  
22 granted.

23 DATED: June 14, 2006

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25 MORRISON C. ENGLAND, JR.  
26 UNITED STATES DISTRICT JUDGE